IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 825 of 2007(W)

PETITIONER:

SMT.CHITHRA KUTTAPPA,
VARAGAMPADI ESTATE, SHOLAYUR POST,
PALAKKAD DISTRICT.

BY ADV. SRI.K.RAMESH

RESPONDENTS:

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1. THE DEPUTY COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAX,
ERNAKULAM, COCHIN.

2. AGRICULTURAL INCOME TAX & SALES
TAX OFFICER, MANNARKKAD.

3. THE TAHSILDAR (REVENUE RECOVERY),
TALUK OFFICE, MANNARKKAD, PALAKKAD.

GOVT. PLEADER SRI. JULIAN XAVIER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 8.1.2007, THE COURT ON THE SAME DAY, DELIVERED THE FOLLOWING:

P.R. RAMAN, J.

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W.P.(C) NO. 825 OF 2007

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DATED THIS, THE 8TH DAY OF JANUARY, 2007

J U D G M E N T

Petitioner preferred Ext. P3 appeal along with a stay petition Ext.P4 before the first respondent challenging the revised order of assessment passed by the second respondent. Her grievance is that pending Exts.P3 appeal and stay petition Ext.P4, revenue recovery proceedings are initiated against her by issuing Ext. P5 notice.

2. Heard the learned Government Pleader also. In the facts and circumstances, there will be a direction to the first respondent appellate authority to consider and pass orders on the stay application Ext.P4, expeditiously, at any rate, within a period of one month. Till such time orders are passed , further proceedings pursuant to Ext.P5 notice shall stand stayed and thereafter, the matter shall be governed by any orders that may be passed by the appellate authority.

The writ petition is disposed of as above.

P.R. RAMAN,
JUDGE.

knc/-